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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|  |    |                        |                         |
|--|----|------------------------|-------------------------|
|  |    | Application Number     | 09/696,051              |
|  |    | Filing Date            | October 25, 2000        |
|  |    | First Named Inventor   | Kenneth R. Owens et al. |
|  |    | Group Art Unit         | 2664                    |
|  |    | Examiner Name          | na                      |
| Total Number of Pages in This Submission | 23 | Attorney Docket Number | 4910.00011              |

### ENCLOSURES (check all that apply)

|   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input checked="" type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><br><input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Assignment Papers (for an Application)<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><br><input type="checkbox"/> Remarks | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>-Copy of Notice to File Missing Parts<br>-Certificate of Mailing<br>-Declaration and Power of Attorney<br>-Return Postcard |
|---|---|---|

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                         |                       |
|-------------------------|-----------------------|
| Firm or Individual name | Christopher P. Moreno |
| Signature               |                       |
| Date                    | 4/13/01               |

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as "Express Mail post office to addressee" addressed to Commissioner for Patents, Washington, DC 20231 on this date April 13, 2001

|                       |                         |
|-----------------------|-------------------------|
| Typed or printed name | Christine A. Jaszkowski |
| Signature             |                         |
| Date                  | 4-13-01                 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 560)

| Complete if Known    |                         |
|----------------------|-------------------------|
| Application Number   | 09/696,051              |
| Filing Date          | October 25, 2000        |
| First Named Inventor | Kenneth R. Owens et al. |
| Examiner Name        | na                      |
| Group Art Unit       | 2664                    |
| Attorney Docket No.  | 4910.000011             |

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **22-0259**  
 Deposit Account Name **Vedder Price Kaufman & Kammholz**

Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.  
See 37 CFR 1.27

2.  Payment Enclosed:

Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

| Large Entity  | Small Entity  | Fee Description        | Fee Paid |
|---------------|---------------|------------------------|----------|
| Fee Code (\$) | Fee Code (\$) |                        |          |
| 101 710       | 201 355       | Utility filing fee     |          |
| 106 320       | 206 160       | Design filing fee      |          |
| 107 490       | 207 245       | Plant filing fee       |          |
| 108 710       | 208 355       | Reissue filing fee     |          |
| 114 150       | 214 75        | Provisional filing fee |          |

SUBTOTAL (1) (\$ 0)

## 2. EXTRA CLAIM FEES

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|----------------|----------|
|              |                    |                    | -20** =      | X              | =        |
|              |                    |                    | -3** =       | X              | =        |

| Large Entity  | Small Entity  | Fee Description  | Fee Paid |
|---------------|---------------|--|----------|
| Fee Code (\$) | Fee Code (\$) |  |          |
| 103 18        | 203 9         | Claims in excess of 20                                     |          |
| 102 80        | 202 40        | Independent claims in excess of 3                          |          |
| 104 270       | 204 135       | Multiple dependent claim, if not paid                      |          |
| 109 80        | 209 40        | ** Reissue independent claims over original patent         |          |
| 110 18        | 210 9         | ** Reissue claims in excess of 20 and over original patent |          |

SUBTOTAL (2) (\$ 0)

\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

| Large Entity              | Small Entity | Fee Code (\$)  | Fee Code (\$) | Fee Description | Fee Paid |
|---------------------------|--------------|--|---------------|-----------------|----------|
| 105 130                   | 205 65       | Surcharge - late filing fee or oath  |               | 130             |          |
| 127 50                    | 227 25       | Surcharge - late provisional filing fee or cover sheet                     |               |                 |          |
| 139 130                   | 139 130      | Non-English specification  |               |                 |          |
| 147 2,520                 | 147 2,520    | For filing a request for ex parte reexamination                            |               |                 |          |
| 112 920*                  | 112 920*     | Requesting publication of SIR prior to Examiner action                     |               |                 |          |
| 113 1,840*                | 113 1,840*   | Requesting publication of SIR after Examiner action                        |               |                 |          |
| 115 110                   | 215 55       | Extension for reply within first month                                     |               | 390             |          |
| 116 390                   | 216 195      | Extension for reply within second month                                    |               |                 |          |
| 117 890                   | 217 445      | Extension for reply within third month                                     |               |                 |          |
| 118 1,390                 | 218 695      | Extension for reply within fourth month                                    |               |                 |          |
| 128 1,890                 | 228 945      | Extension for reply within fifth month                                     |               |                 |          |
| 119 310                   | 219 155      | Notice of Appeal   |               |                 |          |
| 120 310                   | 220 155      | Filing a brief in support of an appeal                                     |               |                 |          |
| 121 270                   | 221 135      | Request for oral hearing   |               |                 |          |
| 138 1,510                 | 138 1,510    | Petition to institute a public use proceeding                              |               |                 |          |
| 140 110                   | 240 55       | Petition to revive - unavoidable   |               |                 |          |
| 141 1,240                 | 241 620      | Petition to revive - unintentional   |               |                 |          |
| 142 1,240                 | 242 620      | Utility issue fee (or reissue)   |               |                 |          |
| 143 440                   | 243 220      | Design issue fee   |               |                 |          |
| 144 600                   | 244 300      | Plant issue fee  |               |                 |          |
| 122 130                   | 122 130      | Petitions to the Commissioner  |               |                 |          |
| 123 50                    | 123 50       | Petitions related to provisional applications                              |               |                 |          |
| 126 240                   | 126 240      | Submission of Information Disclosure Stmt                                  |               |                 |          |
| 581 40                    | 581 40       | Recording each patent assignment per property (times number of properties) |               | 40              |          |
| 146 710                   | 246 355      | Filing a submission after final rejection (37 CFR § 1.129(a))              |               |                 |          |
| 149 710                   | 249 355      | For each additional invention to be examined (37 CFR § 1.129(b))           |               |                 |          |
| 179 710                   | 279 355      | Request for Continued Examination (RCE)                                    |               |                 |          |
| 169 900                   | 169 900      | Request for expedited examination of a design application                  |               |                 |          |
| Other fee (specify) _____ |              |  |               |                 |          |

\* Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 560)

## SUBMITTED BY

| Name (Print/Type) | Christopher P. Moreno | Registration No. (Attorney/Agent) | 38,566 | Telephone      | 312-609-7797 |
|-------------------|-----------------------|-----------------------------------|--------|----------------|--------------|
| Signature         |                       |                                   | Date   | April 13, 2001 |              |

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04/16/01

N Section 5

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth R. Owens et al.  
Serial No.: 09/696,051  
Filing Date: October 25, 2000  
Title: Protection/Restoration of MPLS Networks  
Docket No. 4910.00011

## BOX MISSING PARTS

Assistant Commissioner for Patents  
Washington, DC 20231

EXPRESS MAIL CERTIFICATE

"Express Mail" Label Number: EL707795993US

Date of Deposit: April 13, 2001

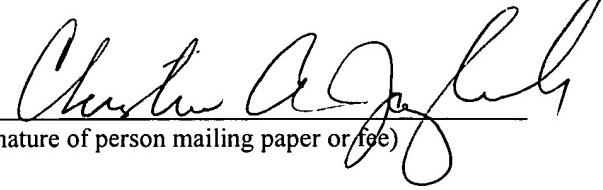
I hereby certify that the following attached paper

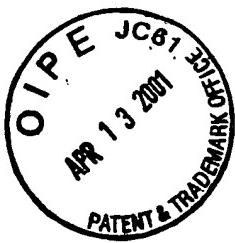
Response to Notice to File Missing Parts; copy of Notice to File Missing Parts;  
Request for Two Month Extension of Time to File a Response to Notice to File  
Missing Parts; Revocation and Power of Attorney; Declaration and Power of  
Attorney; Assignment and Recordation Form Cover Sheet; transmittal form; fee  
transmittal and duplicate; return postcard;

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee"  
service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant  
Commissioner for Patents, BOX MISSING PARTS, Washington, D.C. 20231.

Christine A. Jaszkowski

(Typed or printed name of person mailing paper or fee)

  
(Signature of person mailing paper or fee)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Docket No. 4910.00011)

IN RE APPLICATION OF  
Kenneth R. Owens et al.

)  
Examiner: na

Serial No. 09/696,051

)  
Group Art Unit: 2664

Filed: October 25, 2000

For: Protection/Restoration of MPLS Networks )

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION  
FILING DATE GRANTED**

BOX MISSING PARTS  
Assistant Commissioner of Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Corrected Application Papers mailed December 26, 2000, applicant hereby submits the following with respect to the above referenced patent application: Declaration and Power of Attorney; fee transmittal form for all filing fees and surcharges; Request for Two Month Extension of Time to File a Response to Notice of Missing Parts; and a copy of the Notice To File Missing Parts. Also enclosed for filing is a Revocation and Power of Attorney and an Assignment with Recordation Form Cover Sheet.

Respectfully submitted,

VEDDER, PRICE, KAUFMAN & KAMMHLZ

Date: 4/13/01

By: Christopher P. Moreno  
Christopher P. Moreno  
Reg. No. 38,566



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/696,051         | 10/25/2000          | Kenneth R. Owens      | 4910.00011             |

Banner & Witcoff, Ltd.  
Suite 3000  
Ten South Wacker Drive  
Chicago, IL 60606-7407

## FORMALITIES LETTER



\*OC000000005638282\*

Date Mailed: 12/26/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
  
- The balance due by applicant is \$ 130.

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*A copy of this notice **MUST** be returned with the reply.*

*[Signature]*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/26/2001 MCEDREM1 00000020 220259 09696051

02 FC:105 130.00 CH